



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Accepting Improvements Under Contract for Harney Lane Improvements along Legacy Estates Unit 1

MEETING DATE: May 17, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council accept the improvements under the "Harney Lane Improvements" contract.

BACKGROUND INFORMATION: At the Council meeting of February 2, 2005, Council adopted a resolution allowing the acceptance of public improvements for Legacy Estates Unit 1 prior to the completion of the Harney Lane improvements. Council also approved a new improvement agreement with DSS Company to cover the completion of the Harney Lane improvements at this same meeting. Council then accepted a portion of the subdivision improvements for Legacy Estates Unit 1 at its meeting of February 16, 2005. Staff is now recommending that Council accept the Harney Lane improvements as having been completed in substantial conformance with the requirements of the improvement agreement between the City of Lodi and DSS Company, and as shown on Drawings No. 003D001 through 003D013 and 003D031 through 003D040. The bicycle/pedestrian pathway and the block wall and landscaping along Harney Lane were all included as part of the acceptance of the subdivision improvements for Legacy Estates Unit 1 at the Council meeting of February 16, 2005.

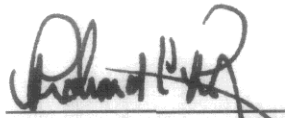
The street to be accepted is as follows:

Streets	Length in Miles
Harney Lane*	0.00
Total New Miles of City Streets	0.00

* The street dedication for Harney Lane widened an existing street. The street dedication did not add additional miles to the City's street system.

FISCAL IMPACT: Per the Harney Lane improvement agreement, DSS Company's warranty period will begin on the date of Council acceptance. There will be a slight increase in long-term maintenance costs for this subdivision.

FUNDING: The developer paid for all of the improvements that were installed as part of this project.


Richard C. Prima, Jr.
Public Works Director

GRIC

Prepared by Wesley K. Fujitani, Senior Civil Engineer
RCP/WKF/pmf
cc: Joel Harris, Purchasing Officer
George Bradley, Street Superintendent

APPROVED: 
Blair King, City Manager

RESOLUTION NO. 2006-85

A RESOLUTION OF THE LODI CITY COUNCIL
ACCEPTING IMPROVEMENTS UNDER CONTRACT FOR
HARNEY LANE IMPROVEMENTS ALONG LEGACY ESTATES
UNIT 1 INCLUDED IN THE IMPROVEMENT AGREEMENT
BETWEEN THE CITY OF LODI AND DSS COMPANY

The City Council of the City of Lodi finds:

1. That all requirements of the Improvement Agreement between the City of Lodi and DSS Company, for the completion of Harney Lane development improvements along Legacy Estates Unit 1, have been substantially complied with. The improvements are shown on Drawing Nos. 003D001 through 003D013 and 003D031 through 003D040, on file in the Public Works Department and as specifically set forth in the plans and specifications approved by the City Council on February 2, 2005; and
2. That no public streets were dedicated as part of this Improvement Agreement.

Dated: May 17, 2006

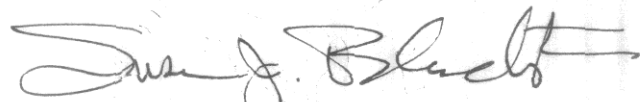
I hereby certify that Resolution No. 2006-85 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 17, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce,
and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk

CITY COUNCIL

SUSAN HITCHCOCK, Mayor
BOB JOHNSON,
Mayor Pro Tempore
JOHN BECKMAN
LARRY D. HANSEN
JOANNE MOUNCE

CITY OF LODI



PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET / P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
TELEPHONE (209) 333-6706 / FAX (209) 333-6710
EMAIL pwdept@lodi.gov
<http://www.lodi.gov>

BLAIR KING,
City Manager

SUSAN J. BLACKSTON,
City Clerk

D. STEPHEN SCHWABAUER,
City Attorney

RICHARD C. PRIMA, JR.,
Public Works Director

May 18, 2006

DSS Company
655 W. Clay Street
Stockton, CA 95206

SUBJECT: Legacy Estates Unit 1 Harney Lane

The City Council of the City of Lodi, at its meeting on May 17, 2006, accepted the public improvements that were made in the subject project.

Enclosed for your files is a copy of the resolution accepting the public improvements. From the date of the resolution, the City of Lodi will maintain the street and other public improvements installed within rights-of-way and public utility easements as shown on the approved plans.

A copy of this letter will be sent to your bonding agency in order that the bond covering faithful performance can be exonerated. The bond covering labor and materials will have to remain in effect for a period of ninety days from the date of the resolution in conformance with State law.

If you have any questions, please contact Rebecca Areida, Management Analyst, at (209) 333-6800, ext. 2658, or me at (209) 333-6709.

A handwritten signature in dark ink, appearing to read "F. Wally Sandelin". The signature is fluid and cursive, written over a horizontal line.

F. Wally Sandelin
City Engineer

FWS/pmf

Enclosures

cc: Electric Utility Department
Water/Wastewater Division
Street Division
City Clerk
Management Analyst
Liberty Mutual Insurance Company and Travelers Casualty and Surety Company of America

CITY COUNCIL
SUSAN HITCHCOCK, Mayor
BOB JOHNSON,
Mayor Pro Tempore
JOHN BECKMAN
LARRY D. HANSEN
JOANNE MOUNCE

CITY OF LODI



PUBLIC WORKS DEPARTMENT
CITY HALL, 221 WEST PINE STREET / P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
TELEPHONE (209) 333-6706 / FAX (209) 333-6710
EMAIL pwdept@lodi.gov
<http://www.lodi.gov>

BLAIR KING,
City Manager

SUSAN J. BLACKSTON,
City Clerk

D. STEPHEN SCHWABAUER,
City Attorney

RICHARD C. PRIMA, JR.,
Public Works Director

May 18, 2006

Liberty Mutual Insurance Company and
Travelers Casualty and Surety Company of America
Gaddy Ward & Company
Daniel M. Connolly, Attorney-in-Fact
66 W. Walnut Street
Lodi, CA 95240

SUBJECT: Legacy Estates Unit 1 Harney Lane

The City Council of the City of Lodi, at its meeting on May 17, 2006, accepted the public improvements in the subject project. A copy of the resolution is enclosed.

This letter is your authorization to exonerate the bond covering faithful performance. The bond covering labor and materials must remain in effect until August 15, 2006, in conformance with the requirements of State law. You will receive no further correspondence regarding the release of the bond for labor and materials unless a claim is filed.

If you have any questions, please contact Rebecca Areida, Management Analyst, at (209) 333-6800, ext. 2658, or me at (209) 333-6709.


F. Wally Sandelin
City Engineer

FWS/RA/pmf
Enclosures
cc: DSS Company
City Clerk
Management Analyst